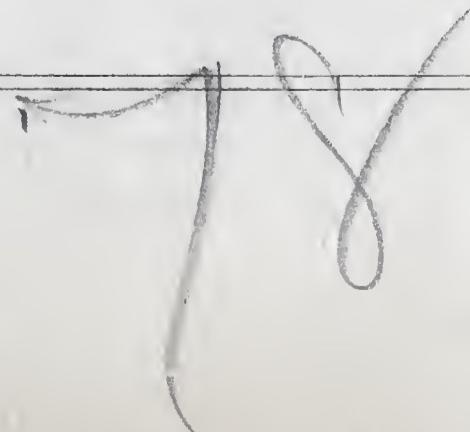

Report of the Committee of the Union League on Municipal Government.

At the monthly meeting of the Union League of Philadelphia held November 11, 1878, the subject of the better government of our large cities being under consideration, on motion of Thomas H. Speakman, it was resolved to refer it to a committee of five members, to make such report to the meeting to be held in January as they should think proper. The chair appointed as the committee: Thomas H. Speakman, Henry C. Lea, Wayne McVeagh, Thomas Cochran, and John L. Lawson; of whom Mr. Lea declined, and Mr. Lawson took no part. The report of the Committee which follows was printed by the League for the use of its members, but the present edition is printed by private subscription.



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REPORT.

To THE UNION LEAGUE:—

The Committee to whom was referred the subject of the better government of our large cities, report as follows:

Although the report made to the Legislature by the late Municipal Commission seemed to be the starting point of the League in the reference made to us, we do not understand it to have been the design that we should confine ourselves to comments on that report, and we propose therefore to treat the subject generally, and to apply ourselves chiefly to our own city of Philadelphia.

DEFECTS OF PRESENT SYSTEM.

The natural method of proceeding is to consider first, What are the evils to be remedied? We have here a city of over eight hundred thousand people having a government that is virtually without a head, for while the mayor is such nominally his powers are too limited.

Our affairs as a city are controlled partly by a body of men called the City Councils, who hold during most of the year weekly sessions in Philadelphia, and partly by another body of men called the State Legislature, who hold annual sessions at Harrisburg; but what particular part or how much of the affairs of the city are to be governed by the one body and what by the other there is no law or rule to determine. A large number of different departments are invested to a greater or less extent with the power of exercising governmental func-

tions, but which are governed in their relations to each other by no regular system, nor are they practically accountable to any general head.

While the City Councils are at times actuated by a strong desire to bring the expenses of the city within its income, and to that end have been reducing the salaries of school teachers, policemen, and most or all other persons in the employ of the city whose pay they control, the Legislature and the Salary Board by it constituted have been pursuing a policy exactly the opposite of this, by lavishing the money of the people with a most unsparing hand upon other classes of city employees; and yet it must in sadness be acknowledged that each of these bodies has at different times been looked to as a refuge from the corruptions of the other.

An army of twelve hundred policemen in the pay of the people and appointed by the mayor, have commonly been made to serve the purpose of a political body-guard to him when election time comes around, to secure his retention of his position; and between whiles they are used for the benefit of his political favorites. And this army of policemen and the employees of the gas, water, fire, highway, and other departments, estimated to be some twelve thousand or more strong, are made to serve in a similar manner the purpose of sustaining the party in power for the time being, thus defying the popular will; and the anxiety thus engendered to continue to fatten upon the spoils of office has given rise, whenever popular dissatisfaction threatens defeat, to frauds in our elections of the most persistent and systematic character.

WORK OF MUNICIPAL COMMISSION.

In saying that the late Municipal Commission has as we think suggested in the main the proper alterations to be made in the form of our city government, we think we may add that no one can devote his thoughts to the subject without arriving at substantially the same conclusions that they have done.

The leading thought of that Commission as shown in their

report is to model city governments after the plan of the National and State Governments. In these, we have forms which have stood the test of time and experience. The first step in this direction, as recommended by the Commission, is to effect a complete separation between the legislative and executive departments. The legislative department to consist as now of Select and Common Councils, but Select Council to be elected by the citizens at large on general ticket, so as to represent a different constituency, to the end that the two bodies may be a more perfect check upon each other; and Councils, after passing such ordinances as the new system may call for, to hold but two sessions annually.

But the principal changes proposed are in the executive departments. After the model of the national government it is proposed that the mayor be the head of this department, and that he be made responsible for the due and proper administration of all the subordinate departments by being clothed with all the necessary powers for that purpose, including the appointment of the heads of all the principal executive departments.

PROPOSED NEW DEPARTMENTS.

It is proposed by the Commission that all executive functions be distributed among the following eight departments, in lieu of the numerous bodies which now irregularly exercise such functions, to wit:

1. Department of Public Safety.
2. Department of Public Works.
3. Department of Finance.
4. Department of City Controller.
5. Department of Law.
6. Department of Education.
7. Department of Charities and Correction.
8. Sinking Fund Commission.

The names by which the several departments are designated give a general idea of the duties of each, but it may be of interest to refer to some of them more specifically, as provided

in the bill submitted to the Legislature by the Municipal Commission.

The Department of Public Safety is to have charge of all matters relating to police, health, fire, and the inspection of buildings, boilers, &c.

The Department of Public Works to have the direction and control of water and gas works, the opening, grading, paving, cleaning, and lighting of streets, the construction and repair of public buildings, bridges, and structures of every kind for public use, public parks, survey, engineering, sewerage, drainage, and all matters relating to highways, footways, wharves, and docks of the city as may be from time to time provided by ordinance.

The Department of Finance to have charge of the fiscal concerns of the city; and the city treasurer, board of revision of taxes, assessors and collectors of taxes, and all officers charged with the care, receipt, collection or disbursement of funds derived from loans, licenses, water rents, rents from markets, landings, wharves, and other public property and interests, to be attached to and subordinate to this department.

The Department of Charities and Correction to have the supervision of the charities, prisons, almshouses, hospitals, houses of refuge and correction, and all similar institutions, the expenses of which are defrayed out of the city treasury.

The Departments of City Controller, Law, Education, and Sinking Fund need no special mention in this connection.

ORGANIZATION OF DEPARTMENTS.

The Commissioners propose by their bill that the Departments of Public Safety, Public Works, and Finance shall each be under the charge of three directors, one of whom shall be the head thereof; that the Department of Education shall be managed by a board consisting of twenty-seven members, to be elected the same as Select Council; that the Department of Charities and Correction shall be under the charge of a president and four directors, and that the Sinking Fund be managed

by a board consisting of the mayor and four citizens, to be chosen annually. And they propose that the mayor shall nominate and by and with the advice and consent of Select Council appoint, to hold during his own term: 1. The head and directors of the Department of Public Safety. 2. The head and directors of the Department of Public Works. 3. The City Solicitor. 4. For a term of five years the head of the Department of Charities and Correction. 5. The head of the Department of Finance, to hold during good behavior. The City Treasurer to be appointed by the mayor, with the advice and consent of each branch of Councils. The City Controller, four members of the Sinking Fund Commission, four directors of the Department of Charities and Correction, and two directors of the Department of Finance to be chosen by Councils. Subordinate officers of the several departments to be appointed and removable by the directors thereof, except in the Department of Finance, in which the concurrence of Select Council is required.

DUTIES OF MAYOR.

The bill further provides that it shall be the duty of the mayor to be vigilant and active in causing the ordinances of the city and the laws of the state to be executed and enforced; to communicate to Councils at least once a year a statement of the finances and general condition of the affairs of the city; to recommend in writing all such measures for the general good as he shall deem expedient; that he shall call together at least once a month the heads of the several departments for consultation and advice; that he shall be ex-officio a member of all boards; that he may, with the consent of two-thirds of the members of Select Council, remove any head of department appointed by him, and shall do so at the instance of three-fourths of Select Council; that the various departments shall report their proceedings to him and he to Councils once a year; that he may, as often as he thinks proper, appoint competent persons to examine without

notice the accounts of any department, officer, or employee, and the money securities in the hands of such persons; and that he shall be responsible for the good order and efficient government of the city.

THE MAIN POINTS.

The bill contains many valuable provisions designed to secure the efficient and faithful working of the various departments, but our limits will not admit of a detailed mention of them. The general features of the plan as regards the remodelling of the city government are most important to be dwelt upon, and to these we desire to ask *special attention*. The leading thoughts deducible from the report of the Commision may be said to be: 1st. A complete divorce between those functions of our city government that are legislative and those that are executive in their character; 2d. The formation of a distinct executive department on the plan of the National and State Governments, with such different departments as are necessary and no more, and a complete system of co-ordination among these departments, and accountability of all to a general head.

In regard to the first proposition, its necessity will be apparent from a single glance at the present system. The same men, as members of Councils, and of committees of those bodies, raise and appropriate money, make contracts and spend it, and are thus at the same time offered the strongest temptations to fraudulent practices and facilities for their perpetration, by the lavish use of the public moneys; and this is the secret of the enormous debt by which we are now burdened.

The plan proposed for the organization of the executive department possesses more of novelty, as well as importance, than anything else recommended by the Commission, and hence is entitled to careful consideration, but though new in its application to city government is not new as a plan of government, but, as before stated, has been thoroughly tested, and this ought to be its *sufficient recommendation*; we express no

opinion, however, as to details, such as the number of officers of the different departments, the mode of selecting them or their terms of service, beyond this, that if the mayor is to be held responsible for the proper administration of government, he must needs have, to a certain extent, the selection of his agents.

MERIT IN PUBLIC OFFICIALS.

And in this connection comes the question as to whether, in view of how little *merit* has of late years had to do in the selection of our public officers, and the extent to which the popular will has been circumvented by party management and fraud, there can be any certainty of electing to the office of mayor persons possessed of the qualifications demanded by the greatly increased responsibility thrown upon that office. We feel satisfied, however, that the higher demand made will be responded to, and that public sentiment, aroused by the fact of the change, would require, in those who might be put forward for so honorable a position, qualifications more ample than those of a mere marshal of police as heretofore.

Public opinion, moreover, would be brought to bear upon derelictions in office with a force and certainty at present unknown. In the existing complicated and chaotic municipal government, there is a virtual premium set on fraud, for there is neither responsibility nor accountability. The perpetrator of wrong is successfully concealed in the recesses of some department, or in some committee of Councils, of which the public at large know nothing.

The simplicity of the proposed plan, however, and its concentration of power, would bring responsibility home at once. Reckless extravagance or corruption could be traced to its source and punished, or if not punished, the public would know whom to hold responsible.

If an improper person were to succeed in attaining the mayoralty, his incompetence or dishonesty would become speedily apparent, and his career would not be prolonged, if there is any virtue in the theories on which our institutions are

based. It would not take long for the people to discover what manner of man was required for the chief magistracy, and the ambition of weak or disreputable men would be unsuccessful.

POLICE AND OTHER EMPLOYEES NOT TO INTERFERE WITH ELECTIONS.

The Commission further make the important suggestion that no police or firemen be discharged from service but for some cause affecting his integrity or efficiency, that a pension fund be provided for the benefit of those honorably discharged by reason of age or disability, and the families of such as may be injured or killed in the service; and that any participation in politics beyond casting their own votes shall be cause for discharge. And to this your committee would add what experience has shown to be of vital importance to the purity and fairness of our elections, not only that no *police* or *fireman*, but that no employee of the city whatever, on pain of discharge, and such other penalties as may be necessary to make the prohibition effectual, be allowed to become a member of or delegate to any political convention, or to remain about the polls on election day to distribute tickets or attempt to influence the vote of any citizen.

NO LEGISLATIVE INTERFERENCE.—FINANCE.

The Commission further propose a constitutional amendment to the effect that in cities of the first class there shall be no legislation relating to the affairs of such city, but upon application of Councils, by joint resolution, approved by the mayor.

On the subject of finance the Commissioners recommend, and so provide in their bill, that Councils shall be the only body invested with the power of raising and appropriating money; that the city shall be bound by no contract except to the extent of appropriations actually made; that the tax rate shall be determined peremptorily by the amount of appropriations for each year, and each year's taxes made to pay each year's expenses, and that no city shall have the right to borrow money.

except for unforeseen contingencies, which shall be provided for by an increased tax rate the succeeding year.

HONESTY IN ELECTIONS.

A subject second in importance to no one in connection with the good government of cities, is that as how to secure honest elections. There is scarcely any community in which there is not a prevailing sentiment in favor of what is just and right and for the general good, and which would therefore not enjoy good government if the actual governing power could be made truly to reflect the predominant popular sentiment. The difficulties in the way of this, arising from so many persons being warped in the exercise of their individual judgments by party prejudices, and the indifference of others, and from combinations of corrupt men to pervert the machinery of government to serve their own personal interests, are only to be overcome by the exercise of higher intelligence and greater vigilance on the part of individual citizens. But there are other difficulties that may, we think, be in a great measure removed by judicious legislation. Among these may be mentioned, first, the undue influence of persons in the public employ endeavoring to retain their positions, regardless of the public good. Secondly, direct fraud.

The remedy proposed for the first of these has already been mentioned. For the more effectual prevention of fraud, your committee would suggest the following: that the courts, in selecting overseers of elections, be not confined to the particular election division where they are to serve, but that they be taken from and to any part of the city; that they be selected not, as now, one from each of the principal political parties, but that two be selected on the nomination of the party or candidate having the fewest or no representative in the board of officers, and with reference to their qualifications to secure an honest election, and that they be empowered to examine, as far as necessary to detect fraud, all tickets, both as they are received and counted, to challenge voters, and swear and examine witnesses, either any of the election officers, or other

persons present, as to the right of any person to vote, and to keep such notes of what transpires as they may deem expedient, one of their number acting as clerk for that purpose, but no compensation to be allowed overseers of elections out of the public treasury.

And in this connection we would also suggest as a means of procuring a more reliable class of persons to serve as election officers, that persons of known integrity who may volunteer to serve, without other return than exemption from jury duty, either as judge, inspector or clerk, from any part of a ward, be accepted and appointed by the court in place of the regular officers, the relative numerical strength of political parties in the board of officers to be preserved.

A SUGGESTION AS TO NOMINATION OF CANDIDATES.

Your committee have also considered another subject having a most important bearing on the good government of cities, and that is the nomination and presentation to the voters of candidates for office.

The difficulties in the way of procuring a general popular expression in the preliminary nomination of party candidates for local officers are simply insurmountable in the present state of politics and political parties, and it is useless to make any further attempt in that direction beyond the cultivation of a higher public sentiment. As probably the best thing that can be done under the circumstances, we suggest the following, briefly stated :

That all the nominations made for any office be printed at the expense of the city on one slip of paper, the dominant party at the preceding election to head the list; that the ticket thus printed be put in charge of the election officers of each division, who, in addition to what may be otherwise distributed, shall be required to keep on hand till the close of the election a number equal to the number of persons on their list who have not voted, to be given out only to individual voters as they ask for them; that each person vote by crossing all the names except

the one he prefers, and that no other ticket be received or counted.

Beside the regular party nominations, any other body of citizens to be at liberty to make a nomination, so the whole for any one office do not exceed some certain number, say five, and in case of any difference as to the names to be put on the ticket the judges of the Court of Common Pleas, sitting for election purposes, to decide; and no name to be put more than once on the ticket, and no nomination to be received other than those of regularly existing parties, except such as the judges shall be satisfied are made in good faith, in the interest of good government, and independently of all other nominations, and reference to be had to the number of probable supporters of each candidate, selecting the largest in case more than the limited number should be offered.

We cannot flatter ourselves that such a plan would effect any immediate revolution for the better, but we believe it would, from the first, have a salutary influence upon party nominations, and might, when the people should become familiar with its working, achieve important results.

The members of the League have doubtless observed with much satisfaction that Governor Hartranft, in his late message to the Legislature, has again urged upon that body the importance of considering and enacting into a law the bill submitted to them a year ago by the Commission appointed by him, pursuant to their authority.

All which is respectfully submitted.

THOS. H. SPEAKMAN,
Chairman.

PHILADELPHIA, January 13, 1879.

